

1617
JFW

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 8617/92773	
In Re Application Of: Daryl Rees, et al.					
Application No. 10/507,000	Filing Date 1/24/2005	Examiner Not Yet Assigned	Customer No. 24628	Group Art Unit 1614	Confirmation No. 8840
Title: THERAPEUTIC METHODS AND USES OF SAPOGENINS AND THEIR DERIVATIVES					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
37 CFR 1.97(b)					
1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
37 CFR 1.97(c)					
2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e);					
OR					
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).					

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
8617/92773

In Re Application of: Daryl Rees, et al.

Application No. 10/507,000	Filing Date 1/24/2005	Examiner Not Yet Assigned	Customer No. 24628	Group Art Unit 1614	Confirmation No. 8840
-------------------------------	--------------------------	------------------------------	-----------------------	------------------------	--------------------------

Title:

THERAPEUTIC METHODS AND USES OF SAPOGENINS AND THEIR DERIVATIVES

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-0920
as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

December 29, 2005

(Date)

Gerald T. Shekleton
Signature of Person Mailing Correspondence

Gerald T. Shekleton, (27,466)

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Gerald T. Shekleton
Signature

Dated: December 29, 2005

Gerald T. Shekleton
WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606-3912
Telephone (312) 655-1500
Facsimile (312) 655-1501

cc:

PATENT
Attorney Docket No. 8617/92773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Confirmation No.: 8840

Applicant: Daryl Rees, et al.

I hereby certify that this correspondence is being deposited with the United Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Serial No.: 10/507,000

Filed: January 24, 2005

For: **THERAPEUTIC METHODS AND
USES OF SAPOGENINS AND
THEIR DERIVATIVES**

December 29, 2005

Examiner: Not Yet Assigned

Gerald T. Shekleton
Gerald T. Shekleton Reg. No. 27,466

Art Unit: 1614

INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, a list of documents is disclosed on the attached Form PTO-1449 that may be material to the examination of this application. The listed Documents are enclosed herewith.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

The cited document(s) disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the document(s) and determine the extent of the materiality of the document disclosures with respect to the present invention.

Applicant also encloses copies of related applications as follows:

Serial No.

USSN 09/647,110

USSN 10/894,425

USSN 60/368,178

Serial No.

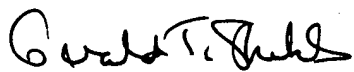
USSN 09/647,128

USSN 10/531,086

The discussion of any art and the citation of any document(s) herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

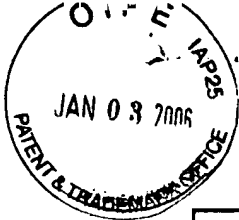
Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and document(s) recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application. The recitation herein of the art and document(s) is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Respectfully submitted,
WELSH & KATZ, LTD.



Gerald T. Shekleton
Registration No. 27,466

Dated: **December 29, 2005**
WELSH & KATZ, LTD.
120 South Riverside Plaza,
22nd Floor
Chicago, Illinois 60606-3912
Telephone: (312) 655-1500
Facsimile: (312) 655-1501



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/507,000		
		Filing Date	January 24, 2005		
		First Named Inventor	Daryl Rees, et al.		
		Art Unit	1614		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	8617/92773

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 2004/037845 A1	05/06/2004	Phytotech Limited		
		WO 97/13780				X

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST .3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.